

December 13, 2004
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Serial No.: 10/007,063
Filed: November 8, 2001
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REMARKS/DISCUSSION OF ISSUES

Applicant thanks the Examiner and her Supervisor for the many courtesies shown in the interview of November 16, 2004. Although no agreement was reached, Applicant appreciates the Examiners' time and believes that progress was made. No new matter has been added with the addition of claims 22-25, support for which is found on at least pages 3 and 4 of the specification.

A. Claims 1 and 20 were rejected under 35 U.S.C. §112

Claims 1 and 20 have been amended to correct antecedent basis issues, and not to avoid any reference. Although claims 11 and 21 were not similarly rejected, similar amendments have been entered for those claims in order to correct a typographical error and not to avoid any reference. Withdrawal of the rejections to claims 1 and 20 is requested.

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B. Claims 1-3, 5-8, 11-13, 15-18 and 20-21 were rejected under 35 U.S.C. §103(a) as unpatentable over Mantha in view of Burman

The §103(a) rejections of claims 1-3, 5-8, 11-13, 15-18 and 20-21 is traversed. In order to render claims 1-3, 5-8, 11-13, 15-18 and 20-21 unpatentable, each and every element of the claims must be taught or suggested by the references, alone or in combination, in at least as great detail as claimed.

Because Mantha in view of Burman does not teach or suggest, at a minimum, "linking the date information to the stored portion of the Web page" as claimed in claims 1, 11, and 21, the rejection should be withdrawn. The Examiner correctly notes that Mantha teaches no such element, and instead, relies on Burman for the alleged teaching.

However, Burman teaches, at most, that date and time information is "optionally" sent to "another computer, server or other device connected to the computer network 22." See, para. 80 of Burman. Nowhere does Burman teach or suggest "linking the date information to the stored portion of the Web page." Indeed, the Examiner's comments illustrate a misconception of the claimed element.

The Examiner alleges, in paragraph 5 of the October 20, 2004 office action that Burman teaches "determining date information for transferring a Web page and it is obvious that the date information is linked to that particular Web page." Regardless of the accuracy of the Examiner's assertion (which Applicant disputes), that is not what is claimed. The date information is not linked to a particular Web page – instead, Applicant claims "linking the date information *to the stored portion* of the Web page" (emphasis added). Indeed, Burman specifically teaches that the information is sent to another computer, and therefore *cannot* be linked to the stored portion of the Web page.

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Furthermore, since the art does not show "linking the date information to the stored portion of the Web page," Applicant requests the Examiner withdraw the rejections. If the Examiner wishes to maintain the rejection, however, Applicant traverses the statement "it would be obvious" and asks the Examiner to make a showing in the form of a declaration or affidavit supporting the contention that "it would be obvious" See, MPEP 706.02(a): "If the Applicant traverses such an assertion, the Examiner should cite a reference in support of his/her position." Absent such a showing, Applicants respectfully request allowance of the claims.

Claims 2-3 and 5-8 depend directly or indirectly from claim 1 and are therefore allowable over Mantha in view of Burman for at least the same reasons. Claims 12-13, 15-18 and 20 depend directly or indirectly from claim 11 and are therefore allowable over Mantha in view of Burman for at least the same reasons.

Withdrawal of the rejections to claims 1-3, 5-8, 11-13, 15-18 and 20-21 is requested.

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C. Claims 4 and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Mantha in view of Burman in further view of Krause

The §103(a) rejections of claims 4 and 14 is traversed. Claims 4 and 14 depend indirectly from claims 1 and 11 and are therefore allowable over Mantha in view of Burman in further view of Krause for at least the same reasons.

Withdrawal of the rejections to claims 4 and 14 is requested.

D. Claims 9, 10, and 19 were rejected under 35 U.S.C. §103(a) as unpatentable over Mantha in view of Burman in further view of Chi

The §103(a) rejections of claims 9, 10 and 19 are traversed. Claims 9, 10 and 19 depend directly or indirectly from claims 1 and 11 and are therefore allowable over Mantha in view of Burman in further view of Chi for at least the same reasons.

Withdrawal of the rejections to claims 9, 10 and 19 is requested.

E. New Claims 22-25

New claims 22-25 are patentable over the prior art because the prior art, alone or in combination fails to disclose, teach, or suggest each and every claimed element.

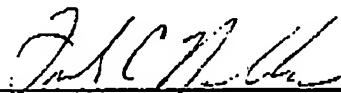
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SUMMARY

The Applicant respectfully submits that claims 1-25 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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Respectfully Submitted,
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